

Panaji, 1st April, 1999 (Chaitra 11, 1921)

SERIES II No. 1

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE: There are two Extraordinary and one Supplement issues to the Official Gazette, Series II No. 52 dated 25-3-99 as follows:

- 1) Extraordinary dated 25-3-1999 from pages 795 to 796 regarding Notifications/Order from Department of Home (Home General Division) and Department of Revenue.
- 2) Extraordinary No. 2 dated 29-3-1999 from pages 797 to 798 regarding Order from Department of Finance (Revenue & Expenditure Division)
- 3) Supplement dated 30-3-1999 from pages 799 to 814 regarding Orders from Department of Labour.

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Education

Order

No. DE/SIE/Pop-Edu/83/98-99/318

Government is pleased to establish a Population Education Cell in the State Institute of Education, Alto-Porvorim-Goa. The Cell will have a full time Project Co-ordinator who will be responsible for implementation of Population Education Project in the State. He shall function under the direct control of Director, S. I. E.

Government is also pleased to constitute a State Level Advisory Committee of Population Education. The Advisory Committee shall consist of the following members.

- | | |
|--|---------------------|
| 1. Education Secretary. | — Chairman |
| 2. The Secretary Dept. of Science, Technology and Environment. | — Member |
| 3. The Secretary, Department of Women and Child Development. | — do — |
| 4. Director of Education. | — do — |
| 5. Director of Health Services. | — do — |
| 6. The Station Director All India Radio. | — do — |
| 7. The Station Director Doordarshan Kendra. | — do — |
| 8. The Director of Information & Publicity. | — do — |
| 9. The Chairman, Goa Board of Secondary and Higher Secondary Examination. | — do — |
| 10. The Director, Directorate of Social Welfare. | — do — |
| 11. The Director, Directorate of Sports and Youth Affairs. | — do — |
| 12. The Director, State Institute of Education (Project Director). | — do — |
| 13. The Project Co-ordinator, N.I.E.P., New Delhi, National Population Education Project, New-Delhi. | — do — |
| 14. The Project Co-ordinator Goa State. | — Member Secretary. |

The Committee members shall be entitled to TA/DA as per their entitlement.

The Committee shall meet at least once in a year.

By order and in the name of Governor of Goa.

Suman Pednekar, Director and Ex-Officio Additional Joint Secretary (Education).

Panaji, 16th March, 1999.

Department of Irrigation

Order

No. 3/25-15/90-IRRG/1107

- Read: 1) Government Order No. 3/25-4/87-IRRG. I, II, III & IV dated 5-8-1991.
- 2) Government Order No. 3/25-4/87-IRRG (part file) dated 19-10-1992.
- 3) Government Order No. 3/25-15/90-IRRG/641 dated 21-9-98.

Government is pleased to extend the ad hoc promotions of the following Assistant Engineers/Asstt. Surveyor of Works (Civil/Mech.) in Irrigation Department ordered vide Government orders referred to above, for a further period of three months beyond 30-11-1998 i. e. upto 28-2-1999 on the same terms and conditions as stipulated in the aforesaid orders.

- | | |
|---------------------------------|--------------|
| 1. Shri Sambhaji Rane | } Mechanical |
| 2. Shri Govind Hedge | |
| 3. Shri Mahesh Bhangu | |
| 4. Shri Shrikant D. Patil | |
| 5. Shri S. H. Nagarajaiah | |
| 6. Shri P. B. Akki | |
| 7. Shri Basavraj V. Pujari | |
| 8. Shri Ashok Kamatar | |
| 9. Shri Pramod Badami | |
| 10. Shri Vijaykumar S. Honawad | |
| 11. Shri R. B. Ghanti | |
| 12. Shri Maladkar G. V. | |
| 13. Shri Sasikumar T. K. | |
| 14. Shri T. K. Divakaran Pillai | |
| 15. Shri A. T. Durganwar | |
| 16. Shri S. S. Kulkarni | |
| 17. Shri Vishnu R. Konkankar | |
| 18. Shri V. P. Mohanan | |
| 19. Shri B. Kalachari | |
| 20. Shri D. Prakash | |
| 21. Shri B. B. Budyal | |
| 22. Shri N. D. Gopalkrishna | |
| 23. Shri S. P. K. Sabhapati | |
| 24. Shri G. N. Ravindran | |
| 25. Shri H. P. Dhume | |
| 26. Shri Augustin Thomas | |
| 27. Shri M. D. Shanbhag | |
| 28. Shri V. K. Thankappan | |

29. Shri K. A. Sadanandan
30. Shri M. S. Sharma
31. Shri Shreedharan K. Vallapil
32. Shri M. M. Anthony
33. Shri P. N. Mukundan
34. Shri V. D. Joseph
35. Shri M. K. Jayarajan
36. Shri Satish A. Kamat
37. Shri T. A. Mohammad
38. Shri V. P. Kuriakose
39. Shri Satish L. S. Kudchadkar
40. Shri B. A. Dessai
41. Shri T. A. Atchutan
42. Shri K. Venugopalan
43. Shri Monian K. P.
44. Shri M. I. Narayanan
45. Shri M. S. Gokak
46. Shri S. D. Kalgutkar
47. Shri C. Shreedharan
48. Shri Ashok G. Nooli
49. Shri Mohan A. Kamble

This issues with the approval of Goa Public Service Commission, conveyed under their letter No. COM/II/11/27(1)/92 dated 11-12-1998.

By order and in the name of the Governor of Goa.

S. M. Nadkarni, Ex-Officio Additional Secretary.

Panaji, 19th January, 1999.

Order

No. 3/22-2/88-IRRG/1169

In pursuance of Government approval the headquarters of Shri D. M. Asrit, Assistant Engineer, Sub-Division VI, Work Division I, Irrigation Department is hereby shifted from Panaji and housed in the premises alongwith sub-Division III, works Division I, I. D., at Pernem in the interest of public service with immediate effect.

By order and in the name of the Governor of Goa.

S. M. Nadkarni, Chief Engineer and Ex-Officio Addl. Secretary (Irrg).

Panaji, 5th February, 1999.

Order

No. 3/22-2/88-IRRG/1305

Government is pleased to order transfer/posting with immediate effect of Shri T. K. D. Pillai, Assistant Engineer, Sub-Division II, Work Division V, Irrigation Department, Karapur Sanquelim to Sub-Div. III, Work Div. VI, Irrigation Department, Mulgao in the existing vacancy, in public interest.

Shri Pillai, Assistant Engineer, shall also hold the additional charge of Sub-Division II, Work Division V, Irrigation Department, Karapur Sanquelim in addition to his own duties.

By order and in the name of the Governor of Goa.

S. M. Nadkarni, Chief Engineer & Ex-Officio Addl. Secretary (Irrg).

Panaji, 5th March, 1999.

Department of Labour

Order

No. 28/35/92-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

V. G. Manerkar, Under Secretary (Labour).

Panaji, 15th February, 1993.

IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA AT PANAJI

(Before Shri M. A. Dhavale, Hon'ble Presiding Officer)

Ref. No. IT/58/92

Miss Muna Coutinho.

— Workman/Party I

V/s.

M/s Renis Electronics.

— Employer/Party II

Workman represented by Shri Raju Mangueshkar.

Employer represented by Shri P. K. Lele.

Panaji, Dated: 19-1-1993.

AWARD

In exercise of the power conferred by clause (d) of Sub. Sec. (1) of Sec. 10 of the Industrial Disputes Act, the Government of Goa by its order No. 28/35/92-LAB dated 29-9-1992 has referred the following issue for adjudication by this Tribunal.

"Whether the action of the management of M/s Renis Electronics, Tivim Industrial Estate, in terminating the services of Miss Muna Coutinho with effect from 7-9-1990 is legal and justified?"

If not, to what relief the workman is entitled?"

2. On receipt of this reference a case at No. IT/58/92 was registered and notices were served upon both the parties. In response to the notice, Party I-Miss Muna Coutinho (hereinafter called as the 'Workman') has appeared and filed her statement of claim Exb.3 wherein it has been averred as follows:

Party II-M/s Renis Electronics, Tivim Industrial Estate, Karaswada, Bardez, Goa (hereinafter called as the 'Employer') has a factory situated at Tivim Industrial Estate, Goa, and it is engaged in assembling wall clock movements. For carrying out the factory's activities, the employer has engaged the services of several persons most of whom are women. The workmen are not issued any letters of appointment at the time of recruiting them and they are paid very low wages less than the minimum wages fixed by the Government of Goa. The employer has three sister concerns-M/s Sips Electronics, M/s Master Electronics and M/s Jet Time India Pvt. Ltd. All these four sister concerns are engaged in the same business. The present workman was employed for assembling wall clock movements w.e.f. 11th August, 1987. However, she was not given any letter of appointment. Initially, she was paid Rs. 9/- per day which was increased to Rs. 11, Rs. 14, Rs. 16 and to Rs. 19 finally, per day. In the year 1990, the present workman was getting a monthly salary of

Rs. 494/- with incentives, her salary was around Rs. 1000/- to Rs. 1200/- per month. Initially, the workmen in the four factories were not the members of Union. However, in the month of July, 1990, they joined Goa Trade & Commercial Workers Union and accordingly, they informed their employer by a letter dated 4th Sept., 1990. On 7th of Sept., 1990, when the workman went to report for work, as usual, at 08.30 a. m., she was not allowed to resume. When enquired, with the gate keeper, she was told that the management had issued instructions not to allow her to work for the reasons which were to be communicated to her in writing. She, then, reported the matter to the Union leaders. The Union then raised a dispute. Thereafter, she received a letter from the employer under which she was informed that she was paid her legal dues. However, along with the said letter retrenchment compensation was not paid and hence she did not encash the said amount. It has been alleged that the employer did not comply with the provisions of S. 25-F of the I. D. Act, while terminating her services. The provisions contained in S. 25-G were also not complied. There was no conciliation before the Labour Commissioner and hence a failure report was submitted after which the Government was pleased to refer this dispute to this Tribunal. The workman therefore prays that she should be reinstated in service with full back wages and continuity of service.

3. A notice of this reference was duly served upon the employer and accordingly Shri P. K. Lele undertook to appear on behalf of the employer and he prayed for adjournment to file a written statement. Accordingly, it was granted and the matter was posted for written statement on 18-1-1993. However, on this day, it was submitted by Shri Raju Mangueshkar for the workman and by Shri P. K. Lele for the employer that the dispute between the parties has been settled out of Court and accordingly a settlement has been filed, which has been duly verified. The same is at Exb. 4. Under this settlement, the workman received a sum of Rs. 20,000/- in full and final settlement of her claim made in this case. The stamped receipt passed by her has also been produced along with Exb. 4. I have gone through the terms of settlement and I have found that they are certainly in the interest of the workman and hence I accept the suggestion made by the learned Advocates for both the sides and pass the following consent award in terms of Exb. 4.

ORDER

In view of the settlement at Exb. 4, the following consent award is hereby passed.

1. It is mutually agreed between the parties that the management of M/s Renis Electronics/Party II shall pay to Miss Muna Coutinho/Party I a sum of Rs. 20,000/- (Rupees Twenty Thousand Only) in full and final settlement of all her Claims against the management such legal dues, bonus, demand for reinstatement, etc.
2. It is mutually agreed between the parties that in view of this settlement, Miss Muna Coutinho, Workman/Party I shall have no claim of whatsoever nature against the Employer/Party II in view of the settlement.
3. It is mutually agreed between the parties that in view of this settlement, the present dispute stands conclusively settled.
4. The workman/Party I states that she has received the amount of Rs. 20,000/- (Rupees Twenty Thousand Only).
5. No order as to costs. Inform the Government accordingly.

Sd/-

M. A. DHAVALÉ
Presiding Officer
Industrial Tribunal

Order

No. 28/37/92-LAB

The following Award given by the Industrial Tribunal Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

V. G. Manerkar, Under Secretary (Labour).

Panaji, 15th February, 1993.

IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA AT PANAJI

(Before Shri M. A. Dhavale, Hon'ble Presiding Officer)

IT/62/92

Ref. No. 28/37/92-LAB

Workmen.

V/s

M/s Master Electronics.

— Party I/Workmen

— Party II/Employer

Workmen represented by Shri Subhas Naik.

Panaji, Dated: 19-1-1993.

AWARD

In exercise of the powers conferred by clause (d) of Sub. Section (1) of Sec. 10 of the Industrial Disputes, Act, 1947, the Government of Goa, by its order No. 28/37/92-LAB dated 1-10-92 has referred the following issue for adjudication by this Tribunal.

(1) "Whether the action of the management of M/s Master Electronics, Tivim Industrial Estate, Karaswada, Goa, in terminating the services of the following 8 workmen with effect from 7-4-1992 is legal and justified?"

- | | |
|-------------------------|----------------------|
| (1) Chetan Naik | (5) Latima Mandrekar |
| (2) Kanchan Parab | (6) Archana Mayekar |
| (3) Argentina Fernandes | (7) Manda Falari |
| (4) Rekha Shirgaonkar | (8) Mohini Sawant |

(2) If not, to what relief the workmen are entitled?

2. On receipt of this reference a case at IT/62/92 was registered and notices were sent to both the parties. In response to the said notice, Party I, appeared and submitted a statement of claim wherein, it has been averred as follows:

Party I-Workmen (hereinafter called as the 'workmen') were employed by Party II-M/s Master Electronics, C/o Jet Time India Pvt. Ltd., Karaswada, Bardez, Goa (hereinafter called as the 'Employer'), in its factory for assembling wall clock movements, which is the main business of the present employer, who has also three more sister concerns. For the work of assembling wall clock movements, the employer had engaged several workers, most of whom were females. However, they were paid very meagre salary, which was far less than minimum wage. The workmen were not the members of any Union initially. However, on 22nd July, 1990, the workmen of this Factory and also the remaining three concerns joined Goa Trade & Commercial Workers' Union and accordingly they informed their Employer. On 1st October, 1990 the Union submitted a charter of demands, to the employer in which several demands

were made. However, the employer did not discuss the charter of demands and on the contrary, the employer started harassing the workmen in many ways. The matter was reported to the Labour Commissioner where meetings were held. However, there was no satisfactory solution. Thereafter, the employer terminated the services of 8 workmen named in the reference without following the mandatory provisions laid down in the Industrial Disputes Act. Since, there was no amicable settlement before the Labour Commissioner, a failure report was submitted, in response to which, the Govt. was pleased to refer this dispute to this Tribunal for adjudication. The workmen therefore claim that they should be reinstated in service with all other legal benefits.

3. The notice of this reference was duly served upon the Employer on whose behalf Shri P. K. Lele undertook to appear and hence the case was adjourned. However, on 18th Jan., 1993 Shri Raju Mangueskar on behalf of Subhas Naik submitted that the dispute between the parties has been directly settled by the workmen with their employer and in view of the settlement (vide Exb. 4) he has submitted that the dispute between the parties no more survives for adjudication and hence the reference should be disposed of accordingly.

4. In view of the state of affairs, I pass the following order.

ORDER

The reference stands disposed of as the dispute between the parties has been settled out of Court.

No order as to costs. Government be informed.

Sd/-

(M. A. Dhavale)
Presiding Officer
Industrial Tribunal

Order

No. 28/45/92-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

V. G. Manerkar, Under Secretary (Labour).

Panaji, 15th February, 1993.

IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA AT PANAJI

(Before Shri M. A. Dhavale, Hon'ble Presiding Officer)

Ref. No. IT/67/92

Shri Joseph Lobo.

— Workman/Party I

V/s

M/s Golden Goa Hotel.

— Employer/Party II

Employer represented by Adv. A. M. Karnik.

Panaji, Dated: 21-1-1993.

AWARD

In exercise of the powers conferred by clause (d) of Sub. Sec (1) of Sec. 10 of the Industrial Disputes Act, 1947, the Government of Goa by its order No. 28/45/92-LAB dated 29-10-1992 has referred the following issue for adjudication by this Tribunal.

(1) "Whether the action of the management of M/s Hotel Golden Goa, Panaji, in terminating the services of Shri Joseph Lobo, Front Office Assistant, with effect from 7-6-1991 is legal and justified?"

(2) If not, to what relief the workman is entitled?"

2. On receipt of this reference a case at No. IT/67/92 was registered and notices were directed to be sent to both the parties calling upon them to appear before this Tribunal on this day i. e. 21-1-1993. Party I-Workman has not appeared before this Tribunal this day. However, Shri A. M. Karnik has appeared on behalf of Party II-Employer and he has submitted before the Tribunal that Party-I Workman, has submitted a letter of resignation dated 30th December, 1992, a copy of which has been produced at Exb. 6. It clearly shows that the workman has tendered his resignation and Exb. 7 which is a receipt further shows that he received all his dues in full and final settlement of his claim. Over and above, there is a copy of a letter vide Exb. 5 sent by the workman to the Under Secretary, Labour, Government of Goa, informing him that he is not interested in proceeding with the case and that he wants to withdraw the case, as the matter has been amicably settled.

3. In view of the state of affairs, it follows that the present reference does not survive for consideration as the claim is settled out of Court. I, therefore, pass the following order.

ORDER

The reference stands disposed of, as the dispute is settled out of Court, with no order as to costs.

Government be informed.

Sd/-

(M. A. Dhavale)
Presiding Officer
Industrial Tribunal